

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

---

**GREGORY ATWATER,**

**Plaintiff,**

**v.**

**Case No. 19-cv-363**

**THOMAS GROSSMAN, *et al.*,**

**Defendants.**

---

**ORDER**

---

Plaintiff Gregory Atwater filed three motions: (1) a motion to amend/correct his brief in opposition to defendants' motion for summary judgment; (2) a motion for leave to file a surreply to defendant Grossman's reply brief; and (3) a motion for leave to file a surreply to defendant Kruger's reply brief. (ECF Nos. 79-80 and 82.)

Atwater asks to amend/correct his opposition brief "for typos on pages 4-7." (ECF No. 79.) While the court appreciates Atwater's attention to detail, it will deny his motion because he filed the request to amend after the summary judgment response deadline (*see* ECF No. 67) and the defendants were able to reply to his opposition brief on the merits, even with the typos.

Atwater also asks to file surreplies to Grossman's and Krueger's reply briefs. (ECF Nos. 80 and 82.) He explains that the defendants "proposed new arguments in their reply brief that would warrant a sur-reply" (*See id.*) The court will grant the request. Atwater must submit his surreplies on or before **March 9, 2020**.

**NOW, THEREFORE, IT IS ORDERED** that:

- (1) Atwater's motion to amend/correct plaintiff's brief in opposition to summary judgment (ECF No. 79) is **DENIED**;
- (2) Atwater's motions for leave to file surreplies (ECF Nos. 80 and 82) are **GRANTED**. Atwater must submit his surreplies on or before **March 9, 2020**.

Dated at Milwaukee, Wisconsin this 24th day of February, 2020.



William E. Duffin  
WILLIAM E. DUFFIN  
U.S. Magistrate Judge